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SUBJECT: BURKINA FASO: overcrowded and dilapidated city jail.

SUMMARY

¶1. (SBU) PolOfficer visited the Ouagadougou city jail on June 25th at the invitation of a local human rights NGO. The visit, which lasted about two hours, included a meeting with the jail administrator as well as site visits to the main jail block, VIP quarters, women's quarters and juvenile detention area. The jail is dangerously overcrowded, daily food rations are insufficient and of poor quality, hygiene is quasi-non existent, and the buildings are dilapidated and in grave disrepair. Convicted criminals are mixed in with those pending trial, HIV-positive and HIV negative detainees cohabitate in cramped quarters and there is very limited access to healthcare at the prison. END SUMMARY.

3/4 at MACO are pending trial

¶2. (SBU) The surprise visit to the jail was organized by the Burkinab Movement for the Emergence of Social Justice (MBEJUS) and included members of the press (TV, print and radio), local NGOs and the U.S. Embassy. The Ouagadougou Correctional Institution (Maison d'Arret et de Correction de Ouagadougou - MACO) was built in the 1960's for a maximum occupancy of 400 detainees. Nearly 50 years later the capacity has been exceed by 350 percent with more than 1436 detainees. The MACO's prisoner/guard ratio is more than tenfold the international norms reaching 30 prisoners/1 guard.

¶3. (SBU) While the judicial procedure stipulates that those pending trial should not be detained for more than 21 days in cases of misdemeanor offenses and no more than three months for criminal cases requiring investigation, the reality is far different. Detainees we spoke to told us that they had been awaiting trial for six-months or more, in some cases years. Human rights groups echoed that reality and claimed that some prisoners have been awaiting trial for several years, and there are cases of prisoners who have been forgotten by the courts and thus remain in jail. According to prison officials, of the 1436 detainees at MACO, 78 percent are waiting trial and 22 percent are actually convicted (Note: There are no Americans in MACO. End Note.)

Food scarcity

¶4. (SBU) The daily food rations are inadequate to feed all the detainees properly. With less than 500 grams food a day per detainee, malnutrition is prevalent. The daily subsistence provided by the jail kitchen is either maize or millet porridge. Lack of fresh fruit, little exposure to sunlight and contaminated water further worsen the nutritional situation. Numerous cases of scurvy have been reported in the past year. The GOBF ordered a supply of rice for 2009 but scarcity and delivery problems have prevented it from reaching the MACO. (Note: Typically the families of detainees are expected to supplement their diet by bringing food to them. In fact though, the majority of detainees are either estranged from their families, geographically isolated, or with financial problems, and hence do not benefit from the dietary supplement. End Note)

Men's and Women's quarters

15. (SBU) In the main building, reserved for non-VIP men, each cell measures 12 square meters and holds 15-20 men. There is insufficient space for all cellmates to sleep at the same time and so sleep rotations have to be scheduled. On some floors detainees sleep in the halls or staircases because cells have reached capacity and are unable to hold more people. While in theory each cell is equipped with a toilet and a faucet, in many cases one or both are inoperable. Little or no ventilation, poor hygiene and lack of basic cleaning supplies means that the jail is in deplorable sanitary condition, with human waste, decomposing food, and trash covering the floors and halls. The main building also houses the two death-row inmates, who ironically have much better living conditions than the other detainees. They are in individual cells, have beds, fans, and television. (Note: While the death penalty still exists on paper in Burkina Faso, it is no longer implemented. The sentence of those on death row has been commuted to life in jail without parole. End Note)

16. (SBU) By contrast, the women's quarters appear much less grim. About thirty women are incarcerated in the MACO, they live in three spacious rooms, but sleep on mats on the concrete floor. They spend their days weaving cloth and making handbags to sell and have access to an inner court yard. Men, even male guards, are not allowed in this quarter. Breast-feeding mothers, and mothers of children younger than three or four are allowed to keep their children with them. When asked, one detainee said she had no choice but to keep her child with her as none of her family would care for him outside.

Another woman we spoke to complained that the food she was given was not adapted to her HIV-positive status. While she had regular access to anti-retrovirus ARVs, she did not have access to the specialized diet that her treatment required.

VIP and Juvenile quarters

17. (SBU) The VIP quarter is by far the most spacious, clean and habitable of the MACO. It houses 160 adult males who have either committed minor infractions, white collar crimes, or whose socio-economic status allows them to avoid being in the main jail building. While they sleep in common rooms that are locked down at night, during the day they have access to a garden and courtyard. On the day we visited they were playing chess and card games on benches under the shade of mango trees.

18. On the day of the visit, 79 minors were being held in MACO. Ranging in age between 13 and 17, ninety percent of those held were pending trial. The NGOs are concerned that while pending trial, or while awaiting a juvenile judge's verdict, these young men were learning "bad habits" and were being schooled by their peers in criminal conduct. For example, three teenagers are detained for rape. According to an NGO lawyer following the case, the young girl they had sex with, fearful of her reputation, and perhaps urged by her mother, pressed rape charges on her classmates. The boys were jailed pending trial. Although the girl recanted her accusation shortly thereafter, explaining that although initially consenting, she had been upset that the boys had not paid her for sex, the judge had not freed the boys. They have been held there for several months and are missing school.

Access to health care

19. (SBU) The MACO jail has one health unit staffed by two nurses who see 80-100 patients daily. The Health unit is open from 10-4 and has no night duty nurse. The medical equipment is limited to one examination table and one blood pressure machine. There are no first aid supplies. The under-trained, over-worked and under-equipped nurses are thus unable to tend to the detainee population's elementary health needs. Promiscuity, poor hygiene conditions and lack of basic necessities have facilitated the spread of infectious diseases (TB) and epidemics like measles.

COMMENT

10. (SBU) Despite the deplorable conditions and lack of amelioration in the past years, the jail administrators welcomed the visit, were open with visitors' questions, and willing to share information. Prison officials may be willing to talk to the press, NGOs and Human

Rights groups in the hopes that the detainees living conditions and subsequently their own working conditions might improve. Interestingly the guards seem almost sympathetic to the detainee's plight and tensions among detainees and guards are relatively low.
END COMMENT.

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